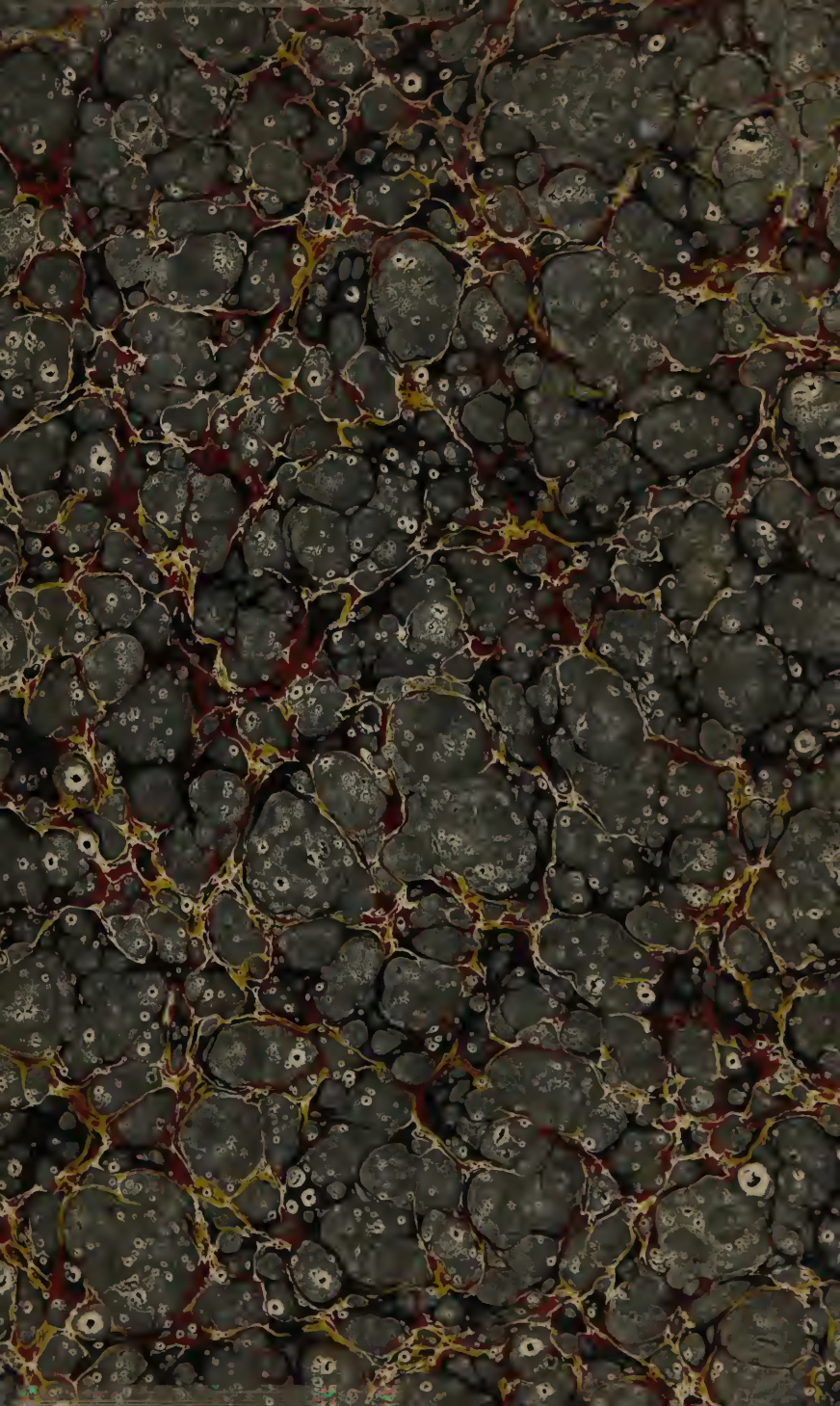


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Ohio laws, statutes, etc.

AN ACT

TO INCORPORATE

MEDICAL SOCIETIES

FOR THE PURPOSE OF REGULATING THE

PRACTICE OF PHYSIC AND SURGERY

IN OHIO.

TOGETHER WITH THE PROCEEDINGS

OF THE

GENERAL MEDICAL SOCIETY.

COLUMBUS.

PRINTED BY OLMSTED, BAILHACHE AND CAMRON.

1829.



AN ACT, &c.

AN ACT, to incorporate Medical Societies for the purpose of regulating the practice of Physic and Surgery in this state.

WHEREAS, well regulated Medical Societies have been found to contribute to the diffusion of true medical science, and a correct knowledge of the healing art:—Therefore,

Sec. 1. *Be it enacted by the General Assembly of the state of Ohio,* That this state be, and the same is hereby divided into twenty Medical Districts, for the organization and establishment of Medical Societies, as follows: The counties of Hamilton and Clermont, shall constitute the first Medical District; Preble and Butler, the second; Warren and Green, the third; Miami, Dark, Shelby, Mercer, Allen, Vanwert, Paulding, Putnam, Williams and Henry, the fourth; Brown and Adams, the fifth; Highland and Clinton, the sixth; Montgomery and Clark, the seventh; Champaign, Logan, Hardin, Hancock, Wood, Madison and Union, the eighth; Scioto, Jackson, Lawrence and Pike, the ninth; Ross, Pickaway, and Fayette, the tenth; Franklin, Delaware, Marion and Crawford, the eleventh; Gallia, Meigs, Athens and Washington, the twelfth; Hocking, Fairfield and Perry, the thirteenth; Richland, Lorain, Huron, Sandusky and Seneca, the fourteenth; Muskingum, Coshocton, Licking, Knox, Guernsey and Morgan, the fifteenth; Jefferson, Harrison, Belmont and Monroe, the sixteenth; Columbiana, Stark, Wayne and Tuscarawas, the seventeenth; Trumbull and Portage, the eighteenth; Medina and Cuyahoga, the nineteenth; and the counties of Ashtabula and Geauga, the twentieth Medical District.

Sec. 2 That Samuel Ramsay, Jesse Smith, L. A. Hendrick, Josiah Lyman, John L. Richmond, Ebenezer Pearson, Joseph Hagerman, John G. Rodgers and William Wayland, and their associates shall form and constitute the first Medical Society of Ohio; Daniel Miliken, James Hughes, Jesse Paramore, George Brown, and Vandever, and their associates shall constitute the second; Joseph Canby, John Ross, David Morris, Benjamin Dubois, Joseph Johnson, Joshua Martin, John Vanharlenger, John Collet, Jehu John, James W. Lanier, John S. Haller and George W. Stipp, and their associates shall constitute the third; Samuel Barrington, A. Coleman, John G. Tellford, John O. Ferrall, John Pratt and John Briggs, and their associates shall constitute the fourth; Thomas Dunham, Henry Foster, Adam Willey, Alexander Campbell, Norton, Bayley, William B. Wilson, and Joseph D. Keath, and their associates shall constitute the fifth; Jasper Hand, Jacob Kirby, Loami Rigdon, Turner Welch, Havillah Bairdly and Uriah Farquhar, and their associates shall constitute the sixth:

Job Haines, John Steel, William Blodget, William A. Needham, Richard Hunt, Elijah Lawrence and Ambrose Blount, and their associates shall constitute the seventh; James Crew, Nicholas Hathaway, Alexander Raiff, Joseph S. Carter, Obel Horr, Alam Musgrove and William Fithian, and their associates shall constitute the eighth; Giles S. B. Hemstead, Nathan W. Andrews, Samuel C. Lewis, Thomas Colfax, Peter Spurck and John H. Rathbone, and their associates shall constitute the ninth; Joseph Scott, John W. Vethake, Thomas Pinkerton, John Elmiston, William N. Luckey, Erastus Weeb, Otis Baliard and Thomas McGarraugh, and their associates shall constitute the tenth; John M. Elmiston, Daniel Upsen, Kingsley Ray, Samuel Persons, Daniel Turney, Reuben Lamb, James H. Hills, Silas C. McClary, Charles H. Whetmore and Peleg Sisson, and their associates shall constitute the eleventh; Chary Perkins, John Cotton, S. P. Hildreth, Morris German, Columbus Bierce, Eli Seigler, Jacob Kettridge, Ebenezer Bowen and George N. Gilbert, and their associates shall constitute the twelfth; Silas Allen, Robert McNeil, James White, Ezra Clark, David Pardee, Daniel Gregg, Jesse M. Morris and Nathaniel Wait, and their associates shall constitute the thirteenth; Daniel Tilden, George Anderson, Allen G. Miller, James Strong, Seldon Graves, Daniel Brainard, Joel Luther and Daniel T. Swaney, and their associates shall constitute the fourteenth; John Hamm, Robert Mitchell, Dudley W. Rhodes, Calvin Conant, Robert Safford, John J. Brice, William S. Richards, Elisha G. Lee, Samuel Lee, G. B. Maxfield, William Clark, Henry H. Evans, Alfred C. Thompson, and their associates shall constitute the fifteenth; William Hamilton, Peleg S. Mason, David Staunton, William Leslie, William Wood, Levi Brooks, M'Cune, Smith, Horatio L. Woster, Benjamin Mares, Anderson Judkins, Joel T. Martin, Dr. Cook, William R. Hemmon, George W. Duffield, Martin Wilson, Dr. Dixon, Dr. Smith, and William Campbell, and their associates shall constitute the sixteenth; Andrew Gerow, Thomas Hartford, George Breysacher, Horace Potter, George McCook, Thomas Cummings, Thomas Fowensel, William B. Blacky and Hezekiah Bissel, and their associates shall constitute the seventeenth; John B. Harison, Henry Manning, John W. Seely, Tracy Brunson, William Heaton, Dr. Allen, Isaac C. Cowden, Isaac Swift and Israel Town, and their associates shall constitute the eighteenth; David Long, N. H. Manter, George W. Card, Bela B. Clark, John M. Henderson and Dan. McIntosh, and their associates shall constitute the nineteenth; and Ashbel Dart, Orestes K. Hawley, Nathan B. Johnson, John W. Scott, John Emory, jun., Charles Storm Ross and Andrew Merriman, and their associates shall constitute the twentieth Medical Society of Ohio: *Provided however*, That no person shall be competent to be a member of any of said societies, who shall not possess the qualifications specified in the seventh section of this act.

Sec. 3. That the persons named as aforesaid and their associates, in their respective districts, shall hold their first meetings on the last Tuesday of May next, and at the places following, that is to say, for the

first district at Cincinnati; for the second, at Oxford, in Butler county; for the third, at Lebanon, in Warren county; for the fourth, at Piqua, in Miami county; for the fifth, at West Union, in Adams county; for the sixth, at Hillsborough, in Highland county; for the seventh, at Dayton, in Montgomery county; for the eighth, at Bellfontaine, in Logan county; for the ninth, at Portsmouth, in Scioto county; for the tenth, at Chilli-cothe, in Ross county; for the eleventh, at Worthington, in Franklin county; for the twelfth, at Athens, in Athens county; for the thirteenth, at Lancaster, in Fairfield county; for the fourteenth, at Norwalk, in Huron county; for the fifteenth, at Zanesville, in Muskingum county; for the sixteenth, at Mount Pleasant, in Jefferson county; for the seventeenth, at Canton, in Stark county; for the eighteenth, at Warren, in Trumbull county; for the nineteenth, at Cleveland, in Cuyahoga county, and for the twentieth Medical District, at Unionville, in Madison township, in Geauga county; and the person first named, as aforesaid, in each of said districts, or in case of his absence or inability, the person next named, shall give at least three weeks previous notice, of such meeting by advertisement, published in some newspaper in general circulation in said district.

Sec. 4. That when the persons named as aforesaid and their associates, to the number of five or more, shall have convened in their proper district, as provided in the preceding section, they shall proceed to organize themselves into a Medical Society, by the name of their numerical number, as described in the second section of this act, by electing a President, Vice President, Secretary, and Treasurer, and shall henceforth be a body politic and corporate, with perpetual succession, and as such shall have power to hold, by purchase or otherwise, any estate, real, personal or mixed; not exceeding the amount of five thousand dollars, to make such by laws and regulations, as they may deem expedient, for the good order and government of said society, provided the same be not inconsistent with the constitution and laws of this state; to create such offices, and direct the manner of filling the same, as they shall consider necessary; to fix the compensation of offices created by this act, or the by-laws of said society; to make assessments upon the members of the society, not exceeding three dollars per annum; to employ or appropriate the funds and property of said society, whether the same arises from the assessments upon the members, contributions, fees of admission or donations, for any scientific or literary purpose, connected with the science of medicine, as to them shall seem best suited to promote the objects of their institution; to prescribe rules for the admission of members, not inconsistent with this act; and to provide for the expulsion of members, for mal practice, and the removal of officers for misconduct, and the filling of all vacancies; and by their numerical name aforesaid, they shall be entitled to sue, and be subject to be sued, in all courts of judicature; and shall devise and use a common seal, and may alter and renew the same at pleasure: *Provided however,* That if the persons named as aforesaid, in the second section of this act, shall not meet and organize themselves, in their respective districts, as pro-

vided in this section, on the said last Tuesday of May next; it shall be lawful for them to meet and organize on the day following, and their proceedings then had, shall be as valid as if they had been had on the day preceding.

Sec. 5. That there shall be elected in each of said societies, not less than three nor more than five censors, whose duty it shall be, carefully and impartially to examine all students in physic and surgery, who may present themselves for that purpose; and to report in writing, their opinion of the qualifications of such student, to the President of their society; and the President, or in his absence or disqualification, the Vice President, shall thereupon give to each student, so examined, if said report shall so recommend, a license, under his hand and the seal of the society, countersigned by the secretary; which license shall authorize the person obtaining the same, to practice physic or surgery, or both, as shall be set forth in said license, in any part of this state; and the person obtaining such license, shall pay to the Treasurer of the society, where he obtains the same, a sum not exceeding ten dollars, for the benefit of said society; the amount of which sum, and the time of payment, shall be regulated by the by-laws of the society; and each person having obtained a license as aforesaid, shall thereafter be a member of any Medical Society in this state, where he shall reside: *Provided however*, That the censors shall not examine any student in physic or surgery, for the purpose of his being licensed for the practice of either, or both those professions, unless such student shall produce to them satisfactory evidence of his being of good moral reputation, and that he shall have regularly studied such profession with some reputable practitioner or practitioners for the term of three years, unless such student shall have received a collegiate education, in which case he shall not be required to have studied but two years.

Sec. 6. That each Medical Society shall hold a meeting on the last Tuesday of May annually, and at such other times, as the by-laws may direct; that the President, Vice President, Secretary, Treasurer, and one other member, or any one or more of said officers, with other members sufficient to make the number of five, shall constitute a quorum, for holding elections, or transacting the ordinary business of said society; that the meeting of said society, subsequent to the day following the last Tuesday of May next, shall be held at such place, within the bounds of said district, as the by-laws shall direct; that all elections shall take place at the annual meetings, on the last Tuesday of May, and shall be by ballot; and a majority of votes given shall be necessary to a choice; and all officers so elected shall hold their offices for one year, and until their successors shall be elected and inducted into office.

Sec. 7. That every physician and surgeon, who may reside in this state, on the said last Tuesday of May next, who shall have received a license or diploma, or honorary degree, from any regularly organized Medical Society or College in this state, or elsewhere, or who can produce satisfactory evidence, of having attended one course of medical lectures, at some reputable institution, or who shall produce to any one

of said Medical Societies, satisfactory evidence of his having been reputably engaged in this state, in the practice of physic or surgery, for three years previous to the said last Tuesday of May next, shall on application be admitted a member of any Medical Society of this state, in the district in which he shall reside.

Sec. 8. That it shall be the duty of the Secretary of each of the said Medical Societies, to provide a book in which he shall make an entry of the organization, by laws, resolutions, rules and proceedings of said society, and shall enter therein the names of the members, the times of their admission, the names of the members expelled, and the times and causes of expulsion; also the annual reports of the Treasurer, of the state of the funds, and all such other matters as the society may direct; to which book, any member, at any time, shall have free access; and the Secretary shall in the first week in June, annually, make out, certify, and lodge with the clerk of the court of common pleas, of the county in which the meeting of his society shall be held, a full and fair transcript of all the proceedings of said society, during the year preceding, and shall pay to the said clerk, twenty five cents for filing the same in his office, which it is hereby made his duty to do.

Sec. 9. That the Treasurer of each society shall keep a fair and accurate account of all the moneys by him received and paid out, and of all the funds and property of said society; and shall report a full and ample statement thereof, to the said society, at each annual meeting on the last Tuesday of May; and he shall, whenever required by the society, give bond and security for the faithful discharge of the trust reposed in him, in manner and form as the by laws shall direct; and the said Treasurer, and the Secretary of each society, shall deliver to their successors in office, without neglect or delay, all the books, papers and records, and other property belonging to said society, which may be in their hands at the time of their going out of office.

Sec. 10. That every person, who may hereafter be licensed to practice physic or surgery, in this state, shall deposite a copy of his license, with the clerk of the court of common pleas, in any county wherein he may reside; and until such copy shall be so deposited, he shall be liable to the penalties of this act, in the same manner he would be liable, if he had not obtained no such license; and he shall pay to the clerk with whom he shall file such copy, twenty-five cents for filing and preserving the same, which it is hereby made the duty of such clerk to do.

Sec. 11. That no person other than the members of said Medical Societies, shall after the first day of July next, be permitted to practice physic or surgery, in this state; and if any person not being a member of said societies, shall practice physic or surgery, he shall not be entitled to the aid of the law, or courts of this state, in the collection of any debt, or demand whatever, arising or accruing from such practice; but the same shall be considered null and void, and shall vitiate and destroy any bond, bill, note or contract whatsoever, into which the same shall in any wise be carried, changed or transferred; and such person

shall moreover, forfeit and pay the sum of ten dollars, for every violation of this act, of which he may be duly convicted, to be recovered in action of debt, with costs of suit, in the name of the overseers of the poor, of the township where such penalty shall be incurred, before any justice of the peace, in such township, to be prosecuted by said overseers, or any other person; and the justice before whom such conviction may be had, shall pay the money thus collected, into the hands of the Treasurer of said township, for the use of the poor thereof: *Provided*, That if the person so practising, shall not demand or receive any fee or reward for the same, he shall be exempt from the penalties of this act: *Provided also*, That nothing herein contained, shall extend to prohibit any person during his actual residence in any other of the United States, and who by the laws of the state where he shall reside, is not prohibited from practising physic or surgery therein, from practising in this state, when specially sent for to come into any part of it, and administer and prescribe medicine, or perform any kind of surgical operation for the relief of such, to whose assistance he may be sent for.

Sec. 12. That the Medical Society aforesaid, shall not either directly or indirectly, make any order, resolution or arrangement, defining or fixing the amount of compensation to be charged or received for any services which may be rendered; or medicine furnished by any surgeon or physician within this state; nor make any other order, resolution or arrangement relating to any such charges or compensation.

Sec. 13. That each of the said Medical Societies are hereby authorized and required, at a regular meeting thereof, to be holden within seven months preceding the second Monday of December, A. D. 1827, to elect one delegate or proxy, to represent said society in a general representative convention, to be holden as hereinafter provided.

Sec. 14. That the delegates and proxies elected as provided in the preceding section, shall convene in the town of Columbus, on the second Monday in December, in the year 1827: And when they, or a majority of them shall be so convened, they shall organize themselves as a general representative Convention of the Medical Societies of the state of Ohio, by electing a President and Secretary, and such other officers as they may deem necessary, and when so organized, they shall inquire into and determine the expediency of establishing a general Medical Society of the state of Ohio, and may hold their sittings from time to time, as their duties and convenience may require: and if their determination shall be in the affirmative, they shall proceed to form a constitution and code of by-laws, for the rule and government of such general Medical Society, providing therein for the amendment of such constitution and by laws, and prescribing the offices, and qualifications of officers and members who shall constitute such society, and the tenure of office and the mode of election, and manner of removal and filling vacancies, the duties of the officers and their compensation, the mode and manner of raising revenue, and all other provisions necessary to the complete organization and effective operation of such General Medical Society: *Provided*, The same shall be consistent with the

constitution and laws of this state; a copy of which constitution and code of by-laws, shall be deposited in the office of the Secretary of State, within thirty days from the rising of said convention: But in their determination shall be in the negative, they shall exercise no further powers, except to recommend another convention, if they shall deem it advisable, to be holden at some subsequent period, at such time and place as they shall direct; and if they shall so recommend, such subsequent convention shall be elected and holden under the directions and restrictions, and be clothed with the powers contained in this and the preceding section.

Sec. 15. That this act shall not be construed or extended so as to subject any person to the penalties thereof, who shall have been practising as a physician or surgeon within this state, at the time of the taking effect of the act, regulating the practice of physic and surgery within this state, passed January 15, one thousand eight hundred and twenty one.

Sec. 16. That the General Medical Society of the state of Ohio, when formed and organized in pursuance of the constitution and code of by laws, so to be formed by the representative convention aforesaid, shall be a body politic and corporate, with perpetual succession, by the name and style aforesaid; and as such shall be entitled to receive, purchase and hold real or personal estate, to any amount not exceeding ten thousand dollars; and shall have power to devise and use a seal, and the same to change at pleasure, to sue and be sued in all courts of judicature, and shall possess a visitatorial power over all the district Medical Societies in the state; and shall have power to increase the number of said district societies, and to change or alter their boundaries as convenience or necessity may require; and shall prescribe uniform rules and regulations for said district societies, and enforce them by reasonable fines and penalties: *Provided, however,* That the said societies shall in all things be subject to the laws and regulations of the General Assembly; and the corporate powers hereby granted, may at any time be revised or revoked by the Legislature.

Sec. 17. That the act regulating the practice of physic and surgery within this state, passed January fifteenth, eighteen hundred and twenty-one, be and the same is hereby repealed: *Provided, however,* That any right which the medical convention of Ohio, or any person shall have acquired under said act, to any fee or money yet due or unpaid, shall remain and continue valid; and may be prosecuted the same as though said act were not repealed.

This act to take effect from its passage.

JOSEPH RICHARDSON,

Speaker of the House of Representatives.

ALLEN TRIMBLE,

Speaker of the Senate.

February 26th. 1824.

AN ACT to amend the act, entitled "An act, to incorporate Medical Societies for the purpose of regulating the practice of Physic and Surgery in this state."

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the ninth Medical District, as described in the act, to which this is an amendment, be, and the same is hereby attached to the tenth Medical District, and the two districts thus attached, shall henceforth be known as the tenth Medical District.

Sec. 2. That the county of Holmes, be, and the same is hereby attached to the seventeenth Medical District.

Sec. 3. That it shall be lawful for the censors of each Medical District, or any one of said censors, to grant a permit to any applicant or applicants, in the interval of their regular meetings; and the permit so granted, shall entitle the person to practise Physic and Surgery, until the next regular meeting of the censors in the district in which they may be located.

Sec. 4. That in case the Medical Society in the fifth Medical District, shall not organize itself on or before the first day of August next, agreeably to the act to which this is an amendment, then and in that case the said fifth Medical District, composed of the counties of Brown and Adams, shall be attached to the first Medical District, and shall from that time together with the counties of Hamilton and Clermont, be known and distinguished as the first Medical District.

Sec. 5. That the counties of Licking and Knox, be, and are hereby erected into a separate Medical District to be known and distinguished as the twenty first Medical District in the state of Ohio; and that G. B. Maxfield, E. G. Lee, John J. Bruce, Noah Harris, Timothy Furr and W. S. Richards, and their associates, be, and they are hereby constituted a Medical Society within said district, to be denominated the twenty-first Medical Society of Ohio, to be governed in all respects as Medical Societies are by the provisions of the act, to which this is an amendment, to hold their first meeting on the last Tuesday of May next, at the town of Mount Vernon in Knox county; and the first person named as afore-said and in case of his absence or inability, the person next named, shall give at least three weeks previous notice of such meeting, by advertisement published in some newspaper in general circulation in said district.

Sec. 6. That so much of the act to which this is an amendment, as relates to the ninth Medical District, be, and the same is hereby repealed.

M. T. WILLIAMS,
Speaker of the House of Representatives.
ALLEN TRIMBLE,
Speaker of the Senate.

January 23, 1825.

An act further to amend the act, entitled "An act to incorporate Medical Societies, for the purpose of regulating the practice of Physic and Surgery in this state.

Sec. 1. *Be it enacted by the General Assembly of the state of Ohio,* That the county of Trumbull shall hereafter be erected into a Medical District, to be known and distinguished as the ninth Medical District, in the state of Ohio; and that John W. Seely, Jonathan J. Ted, Peter Allen, John B. Harmon, Silvanus Seely, Samuel Wick, Zina Hitchcock, Francis P. Allen, and Warren Seely, and their associates, be, and they are hereby, constituted a Medical Society, within said district, to be denominated the ninth Medical Society of Ohio, to be governed in all respects as Medical Societies are, by the provisions of the act to which this is an amendment; to hold their first meeting on the last Tuesday of May next, at Warren, in the county of Trumbull aforesaid; and the first person named in this act, or in case of his absence or inability, the person next named, shall give at least three weeks previous notice of such meeting, by advertisement published in some newspaper in general circulation in said district.

Sec. 2. That the county of Portage, alone, shall hereafter form the eighteenth Medical District of Ohio, and the persons residing therein, who at present are members of the Medical Society, shall constitute the eighteenth Medical Society of Ohio, with power so to alter or amend the by laws of said Society, now in force, as will be in accordance with the provisions of this act.

Sec. 3. That it shall be lawful for the seventh Medical Society to hold their meetings at Fairfield, in Green county.

WM. W. IRVIN,

Speaker of the House of Representatives.

ALLEN TRIMBLE,

Speaker of the Senate.

February 8, 1826.



An act supplementary to an act, to amend the act, entitled "An act to incorporate Medical Societies for the purpose of regulating the practice of Physic and Surgery in this state."

Sec. 1. *Be it enacted by the General Assembly of the state of Ohio,* That the counties of Belmont and Monroe are hereby detached from the sixteenth Medical District, and the county of Guernsey is detached from the fifteenth Medical District; and that the said counties of Belmont, Guernsey and Monroe be, and are hereby erected into a separate Medical District, to be known and distinguished as the twenty-second Medical District of the state of Ohio; and that Carolus Judkins, Thomas Carroll, John G. Affleck, John McCracken, John Cook Bennett, James Vishart, Edward D. Rowe, Aaron Hartlev, Ephraim Gaston, Jeremiah Backley, Alfred C. Thompson, Thomas Miller, Henry H. Mett, William Glark, Robert Carlisle, David A. Bimes, Joshua Craig, and their asso-

ciates be, and they are hereby constituted a Medical Society within said district, to be denominated the twenty second Medical Society of Ohio, to be governed in all respects as Medical Societies are, by the provisions of the act to which this is an amendment; to hold their first meeting on the last Tuesday of May next, at the town of Parnesville, in the county of Belmont; and the first person named as aforesaid, and in case of his absence or inability, the person next named shall give at least three weeks previous notice of such meeting, by advertisement published in some newspaper in general circulation in said district.

EDWARD KING,

Speaker of the House of Representatives.

A. SHEPHERD,

Speaker of the Senate.

January 16, 1827.

PROCEEDINGS

OF THE

GENERAL MEDICAL SOCIETY.

The General Medical Society of the state of Ohio, convened at Columbus, on the 5th day of January, 1829, agreeably to the provisions of the constitution; when the following representative members appeared, produced their certificates, and took their seats, to wit:

1st District,	Dr. JOHN E. BUSH.
2d "	" JOHN C. DUNLAVY.
3d "	" JOSHUA MARTIN.
4th "	" ASA COLEMAN.
7th "	" EDWIN SMITH.
9th "	" HENRY MANNING.
10th "	" THOMAS FINKERTON.
11th "	" SAMUEL PARSONS.
1 th "	" JOHN COTTON.
13th "	" ROBERT M'NEILL.
15th "	" THOMAS FLANNER.
16th "	" BENJAMIN DICKSON.
17th "	" HEZEKIAH BISSELL.
18th "	" PHILO. WRIGHT.
20th "	" O. B. HAWLEY.
21st "	" JOHN J. BRICE.
22d "	" ROBERT THOMPSON

The meeting was organized by appointing Dr. McNeill, Chairman, and Dr. Flanner, Secretary, *pro tem*.

On motion, a committee of three members was appointed, to prepare Rules for the government of this Society, during the present session.

The Society then adjourned until ten o'clock to-morrow morning.

January 6 —The Society met pursuant to adjournment.

On motion, the following resolution was adopted:

Resolved, That in the election of officers for this Society, a majority of all the votes given shall be necessary to a choice.

On motion, the Society then proceeded to the election of officers: whereupon, the following members were elected, to wit:

Dr John Cotton, *President*;

“ John C. Dunlavy, *Vice President*;

“ John E. Bush, *Recording Secretary*;

“ Benjamin Dickson, *Corresponding Secretary*;

“ Samuel Parsons, *Treasurer*.

The committee appointed to draft Rules for the Government of this Society, made a report, which was agreed to.

On motion, the Society proceeded to divide its members into two classes, agreeably to the provisions of the constitution.

On motion,

Resolved, That the division by lot be made on the odd and even numbers of districts;

And the division being so made, it was determined that the members representing the odd numbers of districts, viz: the Representatives from the 1st, 3d, 5th, 7th, 9th, 11th, 13th, 15th, 17th, 19th, and 21st districts, form the first class; and the members representing the even number of districts, viz: the 2d, 4th, 6th, 8th, 10th, 12th, 14th, 16th, 18th, 20th, and 22d districts, form the second class.

On motion, the following committees were then appointed:

Drs. Flanner, Dunlavy and McNeill, were appointed a committee on the Constitution.

Drs. Dickson, Bissel and Brice, were appointed to prepare and report a code of by laws, for the government of this Society.

Drs. Parsons, Martin and Coleman, were appointed a committee to prepare and report uniform Rules and Regulations for the government of the District Societies.

On motion,

Resolved, That the Recording Secretary be authorized to devise and procure a seal for the use of the Society.

Drs. Martin, Manning, Bush and Dunlavy, were appointed a committee to examine the statute regulating the practice of physic and surgery, and report what amendments, if any, they deem necessary thereto.

Drs. Dunlavy, Dickson and Coleman, were appointed a committee on New Medical Districts.

On motion of Dr. Dunlavy, the committee on New Districts was

instructed to inquire into the expediency of forming the counties of Preble and Dark into a new Medical District.

The President laid before the Society a memorial from Dr. John Cooke Bennett, and others, relative to a petition to Congress on the subject of appointing general and state vaccine agents; which was referred to a select committee consisting of Drs. Flaumer, Martin and Coleman.

A petition of John Pierce and others, referred to this Society by the Legislature, praying for a new district, to be formed out of the counties of Marion, Crawford and Seneca, was presented, and referred to the committee on New Districts.

On motion of Dr. Bissel, the committee on New Districts was instructed to inquire into the expediency of forming a new district, to be taken from the 14th and 17th districts.

January 7 --The committee on the By laws made a report;

The committee on the Rules and Regulations for the government of the district Societies, made a report;

The committee on the law regulating the practice of physic and surgery, made a report;

The committee on New Districts reported a resolution for creating a new district, to be composed of the counties of Wayne, Holmes and Richland, parts of the 14th and 17th districts, to be known by the name of the 23d district; and further, that it is inexpedient to form a new district, to be composed of the counties of Marion, Crawford and Seneca, as prayed for in the petition referred to the committee on that subject; and also, that it is inexpedient to create a new district, to be composed of the counties of Preble and Dark:

Which several reports were laid on the table.

The report of the committee on the By laws, and the report of the committee on the Rules and Regulations for the government of the district Societies, were severally considered in committee of the whole.

The Recording Secretary laid before the Society, a communication from Samuel L. Mitchell, M. D. President of the General Convention, for revising the United States Pharmacopœia, notifying the General Medical Society of the state of Ohio, to appoint three delegates to represent the Society in a General Medical Convention, to be held in the city of Washington, in January, 1830.

On motion,

Resolved, That it is not expedient to appoint delegates at this time.

The committee on the Constitution reported several amendments, which were considered in committee of the whole.

The report of the committee on the law regulating the practice of physic and surgery, was considered, and recommitment to a select committee, consisting of Drs. Martin, Dunlavy and Parsons, with instructions to report a memorial to the Legislature, on this subject.

The committee to whom was referred the memorial of John Cook Bennett and others, reported on that subject, expressive of their sense of its importance, as related to a general vaccine agent, yet doubted the

necessity of state agents; the consideration of which report was deferred for the present session.

January 6.—The report of the committee on the Rules and Regulations for the government of District Societies; the report of the committee on the Constitution; and the report of the committee on the By-laws; were severally taken up and considered.

The report of the committee on New Districts, was taken up and agreed to by the Society.

January 9.—The Society then took up the report of the committee of the whole, on the Constitution, and agreed to the several amendments thereto; and the Constitution, so amended, was adopted as the Constitution of this Society.

The Society then took up the report of the committee of the whole, on the By-laws; which was agreed to, and adopted as a code of by-laws for the government of this Society.

The Society then took up the report of the committee of the whole, on the Rules and Regulations for the government of the District Societies; which being agreed to, was adopted.

Drs. Danlavy, Dickson and Thompson, were appointed a committee to recommend a list of books to be read by students, previous to examination; to report at the next stated meeting of this Society.

On motion, the President of this Society was appointed to deliver a dissertation on some medical subject, at the close of the next stated meeting.

On motion,

Resolved, That seven hundred copies of the statute regulating the practice of physic and surgery, together with the proceedings of this Society, be published; that thirty copies be forwarded to each District Society, and that the President be authorized to draw upon the Treasurer, for the sum required to defray the expense thereof.

Drs. Danlavy, Bush and Parsons were appointed a committee of Revision and Publication.

The committee instructed to report a memorial to the Legislature, made the following report; which, on being considered, was indefinitely postponed:

MEMORIAL.

TO THE HONORABLE GENERAL ASSEMBLY
OF THE STATE OF OHIO:

The memorial of the General Medical Society of the state of Ohio, humbly represents to your honorable body; That, in the opinion of the members of this Society, it would, in a more effectual manner, promote the objects intended by the Legislature, in enacting the law regulating the practice of physic and surgery, so to amend the law, as to confer the power of judging of the qualifications of candidates, and of granting licenses, in one or more Boards of Censors, appointed by this Society, who shall assemble annually, in such place or places as may be found convenient.

Your memorialists have found, that under the present provisions of the statute, there is no uniform standard of qualifications required, in the admission of candidates for license; as, while so many tribunals exist, composed of different individuals, their decisions must necessarily be various and uncertain. Your memorialists believe, that the inconvenience resulting to students from the proposed regulations, would be amply compensated, by the greater honor and respectability conferred by a license granted by a Board of Censors acting for the whole, or a large portion of the state. The Censors of the District Societies should still have the power of granting permits to practice, during the recess of the General Board or Boards of Censors. Your memorialists believe, that the above regulations would have a tendency to excite industry and application, on the part of young men preparing for the profession, which would in an eminent degree promote their future respectability and usefulness.

Your memorialists would further represent, that the penal part of the statute is rarely enforced; they do not ask any protection for themselves, nor do they believe that the profession at large requires any; but they would respectfully suggest to your honorable body, that if, in the opinion of the Legislature, society needs protection from the effects of ignorance and quackery, it is necessary to adopt some more effectual method of enforcing the law against unauthorized practice; and they would propose making it the duty of the Prosecuting Attorney, or some other person, to prosecute illegal practitioners.

Your memorialists would further recommend to your honorable body, to amend the law regulating the practice of physic and surgery, so as to give the power to the District Societies, guarded with such restrictions as the Legislature may think proper, to expel members for gross immoral or criminal conduct; and that your honorable body would confer on the presiding officer of the District Societies, the power of summoning witnesses, and examining them under oath.

And your petitioners, &c.

On motion.

Resolved, That the District Societies be requested to instruct their Representatives at the next stated meeting of this Society, to vote for or against application being made to the Legislature, for authority to appoint one or more Boards of Censors for the state, with power to grant licenses; and to propose any other alteration that may be deemed necessary.

Daniel Drake, M. D. was proposed and unanimously elected an honorary member of this society.

Dr. Dunlavy offered the following resolution; which was unanimously adopted:

Resolved, That the thanks of this Society be given to the President, for the able and faithful manner he has discharged the duties of his office, during the present session.

The following is the Constitution, as amended.

CONSTITUTION

OF THE

GENERAL MEDICAL SOCIETY

OF THE STATE OF OHIO.



At a General Representative Convention, held in the town of Columbus, in the month of December, A. D. 1827, agreeably to an act of the General Assembly of Ohio, entitled "An act to incorporate Medical Societies, for the purpose of regulating the practice of physic and surgery in this state," it was deemed expedient to establish a General Medical Society of the state of Ohio, in order to produce uniformity and efficiency in the proceedings of the District Medical Societies, and for the promotion of medical science: The following Constitution was adopted for the government thereof.

ARTICLE I.

Sec. 1. The General Medical Society shall be composed of Representative and honorary members.

Sec. 2. The Representative members shall consist of one Representative from each of the District Medical Societies, who shall be chosen on the last Tuesday of May; and on their being convened in consequence of the first election, they shall be divided by lot, as equally as may be, into two classes; the seats of the delegates of the first class, shall be vacated at the expiration of two years; and those of the second class, at the expiration of four years: so that one half thereof, as nearly as possible, may be chosen biennially forever thereafter. And all vacancies which may occur in the Representative members, shall be supplied by the District Medical Societies.

Sec. 3. The honorary members shall be chosen by the General Medical Society, from time to time, as they shall think proper; and shall be entitled to all the privileges of Representative members, that of voting and receiving compensation for their services, excepted.

ARTICLE II.

The Society shall meet biennially, in the town of Columbus, on the first Monday in January; and a majority of Representative members, shall constitute a quorum for the transaction of business. The first meeting shall be on the first Monday in January, one thousand eight hundred and twenty nine.

ARTICLE III.

Sec. 1. At the opening of each stated meeting, the Society shall proceed to elect from among the Representative members, a President, Vice President, Recording Secretary, Corresponding Secretary, and Treasurer; who shall hold their offices for two years, and until their successors are chosen. All elections shall be by ballot; and each Representative member shall be entitled to one vote.

Sec. 2. The business of the meeting shall be concluded by a discourse or dissertation on some medical subject, to be delivered by a person appointed at the stated meeting preceding.

ARTICLE IV.

The President shall have power to call special meetings of the Society, whenever its officers, or a majority of them, shall deem it necessary; in which case, public notice shall be given in some newspaper, as specified for the stated meetings; and also special notice shall be served, through the medium of the post office, on all Representative members of the Society, at least six weeks before the time of meeting. He shall have power to fill all vacancies in office, that may occur during the recess of the society; he shall appoint committees, regulate debates, put questions, enforce an observance of the laws and regulations, have a casting vote on all questions before the Society, and perform such other duties as may be assigned him.

ARTICLE V.

The Vice President, in case of the death, resignation, disability, or absence of the President, shall hold and exercise all the powers set forth in the preceding article, until a new choice of President.

ARTICLE VI.

The Recording Secretary shall have charge of the laws, records, and seal of the Society; shall notify the chairman of committees, furnish necessary papers, and the names of committees. He shall give six weeks' previous notice of the stated meetings of the Society, in some public paper printed in Columbus, and perform any other services required of him by the Society.

ARTICLE VII.

The Corresponding Secretary shall have charge of the letters and communications transmitted to this Society, shall cause all papers written in a foreign language to be translated into English; shall, under the direction of the President, answer all communications made to the Society; shall notify the District Societies of all resolutions governing them, passed by the Society; notify all honorary members of their election; and shall perform all such duties as may be assigned to him by the Society.

ARTICLE VIII.

The Treasurer, before entering upon the duties of his office, shall give bond with sufficient security, conditioned for the faithful performance of his official duties, in such sum as the Society shall direct; which bond shall be approved by the Society, and deposited with the Recording Secretary. He shall account to the Society for all moneys, and on the first day of each stated meeting, shall exhibit an accurate statement of his accounts to the Society. He shall pay out no moneys without the order of the presiding officer, and consent of the Society.

ARTICLE IX.

Any officer of the Society may resign his office, or be removed therefrom, for neglect or mal-conduct in office.

ARTICLE X.

The Society shall, from time to time, determine the amount of revenue to be raised, which shall be derived from uniform taxation upon all licenses granted by the District Societies; and, if necessary, upon the individual members thereof. It shall also determine the amount of compensation of its own members, which shall be paid out of the treasury of the Society.

ARTICLE IX.

This Constitution may be revised, altered, or amended, by a vote of two-thirds of the Representative members present, at any stated meeting of the Society.



BY-LAWS.

1. The President shall take the chair, at the hour to which the Society adjourned, and call the members to order; on the appearance of a quorum, the journal of the preceding day shall be read by the Secretary.

2. The President shall not speak to any question, without first obtaining permission.

3. If a member has spoken once in any debate, he shall not speak to the prevention of another, who manifests a desire to speak.

4. No member shall speak more than twice to the same question, without leave from the Society.

5. A member shall not interrupt another while speaking, unless to call him to order, or correct a mistake.

6. The President shall decide questions of order, subject to an appeal to the Society, by any two members; on which appeal, no member shall speak more than once, without leave of the Society.

7. No member shall speak on any subject after the question is put

8. No motion shall be considered unless seconded.

9. A vote shall not be reconsidered by a smaller number than were present at its passing; and the motion to reconsider shall come from a member who voted in the majority.

10. After a motion is made and seconded, it shall be stated by the President; or being in writing, shall be handed to the chair and read.

11. Every motion shall be reduced to writing, if required by any member.

12. A motion to adjourn shall always be in order, unless a member is speaking, and shall be decided without debate.

13. Each Representative member of the Ohio State Medical Society, shall receive for his services three dollars for every day's attendance on the meetings of the Society, and three dollars for every twenty-five miles' travel, to and from the place of meeting.

14. At each stated meeting of the Society, a committee of three members shall be appointed, to audit all accounts against the Society; and all accounts so audited, shall be paid in the manner provided by the eighth article of the Constitution.

15. No application for a new Medical District, shall be acted on in this Society, unless six months' previous notice has been given, by at least one insertion in one or more newspapers, published in each district out of which such new Medical District is proposed to be formed. No new Medical District shall be formed which shall contain less than twenty-five members; or reduce an existing Medical District to a less number than twenty-five. And every application for a new Medical District, shall be by petition to the State Medical Society.

16. There shall be a committee of Revision and Publication appointed by the Society, whose duty it shall be, to examine all papers, essays, and communications, which may from time to time, be received by the Corresponding Secretary, and report what papers or documents they may deem worthy of publication; and who shall superintend all publications which may be directed by the Society.

17. Honorary members shall be elected by a vote of three fourths of the members present, at any stated meeting.



Uniform Rules and Regulations, for the government of the District Medical Societies.

Sec. 1. Each District Medical Society, shall have at least two stated meetings in every year.

Sec. 2. There shall be five Censors chosen in each District, annually; a majority of whom shall form a quorum.

Sec. 3. No person shall be examined for license, unless he shall have had his residence at least six months immediately preceding his application for license, in the District where such examination shall be had.

Sec. 4. Physicians having obtained the degree of Doctor of Medicine, shall be admitted to membership without examination.

Sec. 5. Ten dollars shall be charged for each and every license granted.

Sec. 6. It shall be the duty of the Secretary of each District Medical Society, to transmit a copy of the By-laws, and also a list of the officers and members, to the Recording Secretary of the General Medical Society, at each stated meeting of said Society.

Sec. 7. The President, or Vice President, of each of the District Societies, shall read a dissertation on some medical subject, at each stated meeting of said Societies.

Sec. 8. Each applicant for license, shall prepare and deliver to the Board of Censors, a medical dissertation, previous to his examination.

Sec. 9. Any District Society, neglecting or refusing to appoint a Representative to the General Medical Society, shall be liable to a fine equal to the pay of a Representative from such Society, in attending the meeting of the General Medical Society.

Sec. 10. All moneys raised by the District Medical Societies, for the use of the General Medical Society, shall be paid into the treasury of said Society, in such manner as the General Medical Society shall direct.

Sec. 11. It shall be the duty of the District Medical Societies, to request or enjoin their members, as they may deem proper, to keep a record of all important cases that may occur in their practice, and all facts connected with the profession of medicine, or science in general, the promulgation of which may be useful to mankind: which records, or papers, or such of them as the District Societies may direct, shall be transmitted to the Recording Secretary of the General Medical Society.

Sec. 12. It shall be the duty of the members severally, of the District Medical Societies, at their stated meetings in the month of May, annually, or within twenty days thereafter, to pay to the Treasurers of the said Societies, for the use of the General Medical Society, the sum of one dollar; which money, so collected, including five dollars for every license granted previous to that time, shall be paid over to the Treasurer of the General Medical Society, on or before the first of July ensuing, and duplicate receipts taken therefor; one of which shall be deposited with the Recording Secretary of said Society.

Sec. 13. Any District Medical Society, not observing or complying with the preceding Rules and Regulations, shall be subject to fine; or such Society may be dissolved, and attached to adjoining Societies; at the option of the General Medical Society.

The following is the resolution creating the twenty-third District Medical Society, as adopted:

Resolved, That the counties of Wayne, Holmes and Richland, be, and they are hereby formed into a separate Medical District, to be known by the name of the Twenty-third Medical District; and that John Cunningham, James J. Irvine, A. G. Miller, and such other members of the fourteenth and seventeenth District Societies, as reside within the above named counties, or a majority of them, are hereby authorized to meet at Jeromeville, in Wayne county, on the last Tuesday of May next, and elect their officers, and exercise all the powers of a corporate body, agreeably to the act incorporating Medical Societies.

A true copy.

Attest,

JOHN E. BUSH,

Recording Secretary.

January 12th, 1829.

